

STAND. COM. REP. NO. **2586**

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 632
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 632, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL COURTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish environmental courts as divisions within the circuit courts to hear all proceedings, including certain chapter 91, Hawaii Revised Statutes, proceedings arising from environmental laws; and
- (2) Require the Judiciary to report to the Legislature prior to the Regular Session of 2015 on the total number of environmental-related cases filed in the last five years.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Americans for Democratic Action/Hawaii, International Coastal Cleanup, Keep America Beautiful, Keep the Hawaiian Islands Beautiful, Waianae Coast Neighborhood Board No. 24, The Outdoor Circle, and eleven individuals. Testimony in opposition to this measure was submitted by the Land Use Research Foundation of Hawaii, General Contractors Association of Hawaii, Hawaii Farm Bureau, and The Chamber of Commerce of Hawaii. Your Committee received comments on this measure from the Judiciary, Department of Land and Natural Resources, Office of Planning, and one individual.

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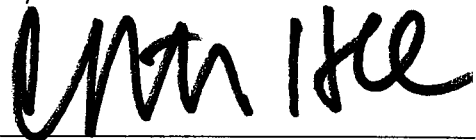
Your Committee finds that environmental disputes are currently dealt with in a variety of courts. This organizational structure inadvertently promotes inefficiency and inconsistent application of the wide variety of environmental laws. The continued maintenance and improvement of Hawaii's environment require constant vigilance and continued stewardship to ensure its lasting beauty, cleanliness, and uniqueness and the stability of its natural systems, all of which enhance the mental and physical well-being of Hawaii's people.

Your Committee has amended this measure by:

- (1) Adopting the language suggested by the Department of Land and Natural Resources to include within the jurisdiction of the environmental court those proceedings arising under chapters 6D, 6E, and 6K, and title 12 of the Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 632, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 632, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 632, SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">ENE, JDL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/20/14</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
TOTAL	4			3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes